

3330 MONTANA



**BUILDING AND STANDARDS BOARD AGENDA ITEM #3 FOR
WEDNESDAY, AUGUST 27, 2014**

BUILDING SAFETY DIVISION

MEMORANDUM

August 18, 2014

TO: The Honorable Chairman and Board Members

THROUGH: Victor Morrison Vega, Deputy Director, City Development Department

FROM: Ron Roth, Deputy Building Official

SUBJECT: 3330 Montana Avenue, El Paso, Texas, 79903

The following is a brief chronology of the investigation of the referenced location:

- 1) First investigated on May 4, 2012 and on several occasions afterwards. It was condemned by the Building and Standards Commission on August 29, 2012 to be maintained secure and clean and to provide an engineer's report for rehabilitation of the structures. The order has not been complied with. The multi-family dwellings were built on or about 1929, constructed of brick walls with plaster coating and a wood framed roof structure. The two accessory structures were built of rubble stone with masonry grout. The structures were found open, abandoned, in an advanced state of disrepair and being used as harborage by vagrants. The exterior of the structures is showing signs of rapid deterioration due to lack of maintenance and exposure to the elements. There are multiple structural cracks causing structural failure throughout all the structures. The two duplexes are completely gutted out exposing the wood framing members. All the doors and windows have been removed. The plumbing, electrical and mechanical systems are non-existent. The property is full of weeds, trash and debris.
- 2) A certified condemnation letter was mailed to Millan Family LP.
- 3) Certified notices of the public hearing scheduled for August 27, 2014, were mailed to the owners and all interested parties on August 7, 2014.
- 4) As of August 12, 2014, no taxes are owed.

The owners have been notified of the property maintenance violations at this property. To date there has been minimal corrective action taken and therefore the Division recommends that it be found:

- 1) That structures 2-5 are substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
- 2) That structures 2-5 are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
- 3) That structures 2-5 certificate of occupancy remain revoked; and
- 4) That structures 2-5 cannot be rehabilitated without an engineer report regarding rehabilitation feasibility; and
- 5) That structures 2-5 be demolished within thirty (30) days; and
- 6) That the curb on the parkway on Luna St. be restored; and
- 7) That the premises be cleaned and maintained clean of all weeds, trash, and debris within thirty (30) days, and thereafter and
- 8) That upon failure by the owner or any other interested party to comply with the order of the Building and Standards Commission the City may take whatever action is necessary to bring the property into compliance, and place a lien on the property for the work which will be done by the City.

Building Safety Division

7/17/14

NOTICE OF VIOLATION

Millan Family LP
5162 Willow Creek Circle
El Paso, Texas, 79932-2522

Re: 3330 Montana a/k/a 713-719 Luna
Blk: 92 East El Paso
Lot: 17 to 20
Zoned: S-D
ENHS14-01136
9171999991703077433466

To All Owners, Lienholders, and Mortgagees:

An inspection at the above referenced address has revealed that the structure is in violation of the El Paso Municipal Code, Chapter 18.50, Property Maintenance Code, which states:

18.50.108.1 General.

When a structure or equipment is found by the Director to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure or equipment shall be condemned pursuant to the provisions of Title 2.38 of the Municipal Code.

The El Paso Municipal Code Chapter 18.50 International Property Maintenance Code defines unsafe structure as follows:

18.50.108.1.1 Unsafe Structures.

An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible

18.50.108.1.2 Unsafe Equipment

Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers, or other equipment on the premises or within the structure that is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

18.50.108.1.3 Structure Unfit for Human Occupancy.

A structure is unfit for human occupancy whenever the Director finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth or contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public

The structure located at **3330 Montana** is in violation of the requirements found in the following sections of the 2009 International Property Maintenance Code as adopted in the El Paso City Code, Chapter 18.50, Property Maintenance Code:

- a. All exterior property, accessory structures and premises shall be maintained in a clean, safe and sanitary condition, All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair. [Sec. 302.1, 302.2, 302.3, 302.4, 302.5, 302.6, 302.7, 302.8, 302.9]
- b. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. [Sec. 304.1, 304.1.1 conditions 1,2,3,4,5,6,7,8,9,10,11,12,13, 304.2, 304.3, 304.4, 304.5, 304.6, 304.7, 304.8, 304.9, 304.10, 304.11, 304.12, 304.13, 304.14, 304.15, 304.16, 304.17, 304.18]
- c. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. [Sec. 305.1, 305.2, 305.3, 305.4, 305.5, 305.6]
- d. The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. [Sec. 306.1, 306.1.1 conditions 1,2,3,4,5,6,]
- e. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. [Sec. 307.1.1]
- f. All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage. [Sec. 308.1, 308.2, 308.2.1, 308.2.2, 308.3, 308.3.1, 308.3.2]
- g. All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to prevent reinfestation. [Sec.309.1, 309.2, 309.3, 309.4, 309.5]
- h. The building must comply with the minimum criteria and conditions for light. [Sec.402.1, 402.2, 402.3]
- i. The building must comply with the minimum criteria and conditions for ventilation. [Sec.403.1, 403.2, 403.3, 403.4, 403.5]
- j. The requirement for Privacy, minimum room dimensions, prohibited occupancy or food preparation spaces not met. [Sec.404.1, 404.2, 404.3, 404.4, 404.5, 404.6, 404.7]
- k. The building must comply with the minimum criteria of the provisions for toilet rooms. [Sec. 503.1, 503.2, 503.3, 503.4]
- l. The building must comply with the minimum criteria of the provisions for plumbing systems and fixtures. [Sec. 504.1, 504.2, 504.3]
- m. The building must comply with the minimum criteria of the provisions for water systems. [Sec. 505.1, 505.2, 505.3, 505.4]
- n. The building must comply with the minimum criteria of the provisions for sanitary drainage systems. [Sec.506.1, 506.2, 506.3]
- o. The drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance. [Sec. 507.1]
- p. The building must comply with the minimum criteria of the provisions for heating facilities. [Sec. 602.2, 602.3, 602.4, 602.5]

- q. All mechanical equipment and fireplaces shall be properly installed and maintained. [Sec.603.1, 603.2, 603.3, 603.4, 603.5, 603.6]
- r. The building must comply with the minimum criteria of the provisions for electrical facilities. [Sec. 604.1,604.2, 604.3, 604.3.1, 604.3.1.1, 604.3.2, 604.3.2.1]
- s. All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner. [Sec. 605.1, 605.2, 605.3]
- t. Means of egress & Emergency escape opening - A safe, continuous and unobstructed path of travel has not been provided from all points in the building or structure to the public way. [Sec. 702.1, 702.2, 702.3, 702.4]
- u. All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times. [Sec. 704.1, 704.1.1, 704.2, 704.3, 704.4]
- v. The structure needs to be secured from unwanted entry and ongoing vandalism, and the premises need to be cleaned of all trash and debris within (30) days from receipt of this letter. [Sec. 108.2]
- w. The repairs to the structural elements and/or service systems referred to in the previous sections must be completed within 30 days of your receipt of this letter. If, due to the scope and complexity of the work more time is needed, you must make this request to the City Development Department, Building Safety Division.

As a result of the aforementioned violations, the following action may be taken:

- a. This case is being submitted to the City Building and Standards Commission for unsafe structures proceedings. The Building and Standards Commission will decide if the structure is unsafe and if it should be vacated and secured, or demolished as per Title 2.38 of the El Paso Municipal Code.
- b. By authority of Chapter 18.02.103.10.3.3 of the El Paso Municipal Code the electrical service at this property may be disconnected at the request of the City Development Department, Building Safety Division, because of Electrical Code violations.

Many of these corrections will require a permit. Permits for commercial or rental property must be taken out by a bonded and insured contractor who is registered with the City of El Paso.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Building Safety Division office, 801 Texas Ave., El Paso, Texas, 79901, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Should you have any questions regarding this matter, please contact me at (915) 478-1170.

George Singh
Building Inspector

NOTICE OF PUBLIC HEARING

To all interested parties:

The owners, mortgagee, lien holders and any others with a legal interest in the property described below are hereby ordered to appear before the Building and Standards Commission, herein after referred to as the “Commission”, at the following time and place:

LOCATION: City Hall, City Council Chambers, 300 N. Campbell Street, 1st Floor, El Paso, Texas 79901

DATE: August 27, 2014

TIME: 5:30 p.m.

PROPERTY: 3330 Montana Avenue., more particularly described as Lots 17, 18, 19 and 29, Block 93, EAST EL PASO ADDITION, an addition to the City of El Paso, El Paso County, Texas, according to the map and plat thereof on file in Volume 1, Page 51, Plat Records of El Paso County, Texas

The property has been determined to be substandard based upon violations of the minimum standards of the 2009 Building Codes, adopted and incorporated in the El Paso City Code, Chapter 18, more specifically addressed below.

According to the real property records of El Paso County, and other relevant public records, Millan Family LP, 5162 Willow Creek Cir., El Paso, Texas, 79932-2522, are the owners, herein after referred to as the “Owners” of the Property. If you no longer own or have an interest in the Property, you must execute an affidavit stating that you no longer own or have an interest in the Property and stating the name and last known address of the person who acquired the property from you, if applicable. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Building and Safety Division, City Development Department, 801 Texas Avenue, El Paso, Texas, 79901, no later than the 20th day after the date you receive this notice. If you do not execute and deliver the affidavit, it will be presumed that you own or have an interest in the Property, even if you do not.

On or about 5/01/14, an inspection of the property was conducted by the Building Safety Division (formerly Environmental Services Code Compliance Division) and the following violations were identified:

- a. All *exterior property, accessory structures* and *premises* shall be maintained in a clean, safe and sanitary condition, All accessory structures, including *detached* garages, fences and walls, shall be maintained structurally sound and in good repair. [Sec. 302.1, 302.2, 302.3, 302.4, 302.5, 302.6, 302.7, 302.8, 302.9]
- b. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. [Sec. 304.1, 304.1.1

conditions 1,2,3,4,5,6,7,8,9,10,11,12,13, 304.2, 304.3, 304.4, 304.5, 304.6, 304.7, 304.8, 304.9, 304.10, 304.11, 304.12, 304.13, 304.14, 304.15, 304.16, 304.17, 304.18]

- c. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. [Sec. 305.1, 305.2, 305.3, 305.4, 305.5, 305.6]
- d. The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. [Sec. 306.1, 306.1.1 conditions 1,2,3,4,5,6,]
- e. All *exterior property* and *premises*, and the interior of every structure, shall be free from any accumulation of *rubbish* or garbage. [Sec. 308.1, 308.2, 308.2.1, 308.2.2, 308.3, 308.3.1, 308.3.2]
- f. All structures shall be kept free from insect and rodent *infestation*. All structures in which insects or rodents are found shall be promptly exterminated by *approved* processes that will not be injurious to human health. After *pest elimination*, proper precautions shall be taken to prevent reinfestation. [Sec.309.1, 309.2, 309.3, 309.4, 309.5]
- g. The building must comply with the minimum criteria and conditions for light. [Sec.402.1, 402.2, 402.3]
- h. The building must comply with the minimum criteria and conditions for ventilation. [Sec.403.1, 403.2, 403.3, 403.4, 403.5]
- i. The requirement for Privacy, minimum room dimensions, prohibited occupancy or food preparation spaces not met. [Sec.404.1, 404.2, 404.3, 404.4, 404.5, 404.6, 404.7]
- j. The building must comply with the minimum criteria of the provisions for required facilities. [Sec. 502.1, 502.2, 502.3, 502.4,502.4.1, 502.5]
- k. The building must comply with the minimum criteria of the provisions for toilet rooms. [Sec. 503.1, 503.2, 503.3, 503.4]
- l. The building must comply with the minimum criteria of the provisions for plumbing systems and fixtures. [Sec. 504.1, 504.2, 504.3]
- m. The building must comply with the minimum criteria of the provisions for water systems. [Sec. 505.1, 505.2, 505.3, 505.4]
- n. The building must comply with the minimum criteria of the provisions for sanitary drainage systems. [Sec.506.1, 506.2, 506.3]
- o. The drainage of roofs and paved areas, *yards* and courts, and other open areas on the *premises* shall not be discharged in a manner that creates a public nuisance. [Sec. 507.1]
- p. The building must comply with the minimum criteria of the provisions for heating facilities. [Sec. 602.2, 602.3, 602.4, 602.5]
- q. All mechanical equipment and fireplaces shall be properly installed and maintained. [Sec.603.1, 603.2, 603.3, 603.4, 603.5, 603.6]

- r. The building must comply with the minimum criteria of the provisions for electrical facilities. [Sec. 604.1, 604.2, 604.3, 604.3.1, 604.3.1.1, 604.3.2, 604.3.2.1]
- s. All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and *approved* manner. [Sec. 605.1, 605.2, 605.3]
- t. Duct systems shall be maintained free of obstructions and shall be capable of performing the required function. [Sec. 607.1]
- u. Means of egress & Emergency escape opening - A safe, continuous and unobstructed path of travel has not been provided from all points in the building or structure to the *public way*. [Sec. 702.1, 702.2, 702.3, 702.4]
- v. The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained. [Sec. 703.1, 703.2]
- w. All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times. [Sec. 704.1, 704.1.1, 704.2, 704.3, 704.4]
- x. The structure needs to be secured from unwanted entry and ongoing vandalism, and the premises need to be cleaned of all trash and debris. [Sec. 108.2]

The Owners are entitled to show cause that the Property is safe, does not constitute dangerous structures and should not be declared a nuisance and ordered abated by presenting relevant evidence and testimony. If the Owners advocate for repair, then they bear the burden of proof to demonstrate the scope of any work that may be required to bring the property into compliance with Chapter 18.50 and the time it will take to reasonably perform the work. The allowable time periods for repair are governed by Texas Local Government Code, Sections 214.001(h), (i), (j) and (k). Any document relied upon to demonstrate that the Property is safe or that it can be repaired must be presented to the Commission at the hearing, including building plans, specifications, drawings, or reports from professionals and any other relevant documentation.

If the Owners fail to comply with the order of the Commission the City may pursue one or more of the following actions:

Perform any and all work necessary to bring the property into compliance with the Commission's order;

Assess civil penalties, provided for in the Commission's order, in an amount not to exceed \$1,000 per day or \$10 per day if the Property has a homestead exemption, that will accrue interest of 10% per year until paid in full;

Appoint a receiver as permitted by state law; and

Any other remedies permitted by state law.

Commission orders may be appealed to the State District Court within 30 days of the final order.

The Commission's authority and procedures in regard to a Dangerous Structure Hearing may be found in Chapter 2.38 of the El Paso City Code and in their duly adopted bylaws. The bylaws may be obtained at the Building and Safety Division, City Development Department, 801 Texas Avenue, El Paso, Texas, 79901 or by calling (915) 212-1815.

This notice will be recorded in the real property records of El Paso County and will be binding on subsequent grantees, lien holders or other transferees of an interest in the Property.

The City Clerk is ordered to provide notice of this hearing to the record owners and all other interested parties, required by law, who are listed following this notice, and file this notice in the real property records of El Paso County.

FAILURE OF THE OWNERS AND/OR LIENHOLDER OR MORTGAGEE TO TAKE THE ORDERED ACTION MAY RESULT IN THE CITY TAKING THE ORDERED ACTION AND FILING A LIEN AGAINST THE PROPERTY.

The City of El Paso appreciates your cooperation and prompt attention to remedying the nuisances on the Property. Please do not hesitate to contact me should you have any additional questions, comments or concerns relative to this notice.

APPROVED AS TO FORM

APPROVED AS TO CONTENT

Wendi N. Vineyard
Assistant City Attorney

Ron Roth, C.B.O.
Deputy Building Official

I, RICHARDA DUFFY MOMSEN, City Clerk of the City of El Paso, hereby certify that a true and correct copy of the foregoing Notice regarding the property located at **3330 Montana Avenue** was PUBLISHED in the official City newspaper on the ____ day of _____, 2014.

Richarda Duffy Momsen

I certify that a true and correct copy of the foregoing Notice regarding the property at **3330 Montana Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Millan Family LP
5162 Willow Creek Cir.
El Paso, Texas 79932-2522

Date: _____
Time: _____
Inspector: _____

I certify that a true and correct copy of the foregoing Notice regarding the property at **3330 Montana Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Felipe Millan
509 La Quebrada
El Paso, Texas 79912

Date: _____
Time: _____
Inspector: _____

I certify that a true and correct copy of the foregoing Notice regarding the property at **3330 Montana Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Felipe Millan
1147 Montana
El Paso, Texas 79902

Date: _____
Time: _____
Inspector: _____

I certify that a true and correct copy of the foregoing Notice regarding the property at
3330 Montana Avenue was HAND-DELIVERED to:

City of El Paso
C/O City Clerk
300 N. Campbell
El Paso, TX 79901

Date: _____
Time: _____
Inspector: _____

I certify that a true and correct copy of the foregoing Notice regarding the property at
3330 Montana Avenue was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Governor of the Ysleta Del Sur Pueblo Indian Tribe
AKA Tigua Indian Community
119 S. Old Pueblo Road
El Paso, Texas 79907

Date: _____
Time: _____
Inspector: _____

I certify that a true and correct copy of the foregoing Notice regarding the property at
3330 Montana Avenue was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

El Paso Central Appraisal District
5801 Trowbridge Ave.
El Paso, Texas 79925

Date: _____
Time: _____
Inspector: _____

I certify that a true and correct copy of the foregoing Notice regarding the property at
3330 Montana Avenue was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

El Paso County Clerk, Probate Dept.
500 E. San Antonio Avenue, Suite 105
El Paso, Texas 79901

Date: _____
Time: _____
Inspector: _____

I certify that a true and correct copy of the foregoing Notice regarding the property at
3330 Montana Avenue was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Delgado, Acosta, Spencer
Linebarger, Heard & Perez, LLP
Attn: Bonnie Cooper
221 N. Kansas Suite 1400
El Paso, TX 79901

Date: _____
Time: _____
Inspector: _____

I certify that a true and correct copy of the foregoing Notice was POSTED at
3330 Montana Avenue, El Paso, Texas.

Date: _____
Time: _____
Inspector: _____

15/15

Doc# 20120073333

ORDER No. ENHS12-00296
OF THE CITY OF EL PASO BUILDING AND
STANDARDS COMMISSION

An order of the Building and Standards Commission (the "Commission") abatement of the substandard and dangerous structures located at 3330 Montana Avenue, El Paso, Texas; Legal Description: Lots 17, 18, 19 and 20, Block 92, EAST EL PASO ADDITION to the City of El Paso, El Paso County, Texas (herein after referred to collectively as the "Property").

WHEREAS, the Commission finds that proper notice has been provided as required by Chapter 2.38 of the El Paso City Code to the identified interested parties identified as: MILLAN FAMILY, LP, MILLAN GP, LLC (General Partner), Attn: Felipe Millan, Manager, 5162 Willow Creek Circle, El Paso, TX 79912, and UNITED BANK OF EL PASO DEL NORTE, Attn: Joe R. Fernandez, Trustee, 125 Mesa Hills Drive, El Paso, Texas 79912, "herein after collectively referred to as the "Owners"; and

WHEREAS, Claudia M. Millan, owner; Armando Ochoa; Karen Marquez, legal representative for Felipe Millan and Joe R. Fernandez Trustee, United Bank of El Paso del Norte appeared in person; and

WHEREAS, based on the evidence presented, the Commission finds the Property is in violation of 18.50 of the El Paso City Code; and

WHEREAS, the structures constitute a dangerous structure and, as such, is a nuisance condition that constitutes a hazard to the health, safety and welfare of the citizens and is likely to endanger persons and property; and

WHEREAS, the Commission takes notice of and incorporates all evidence presented at the hearing and incorporates the same into the body of this Order for all purposes;

**THEREFORE, IT IS ORDERED ADJUDGED AND DECREED BY THE
CITY OF EL PASO BUILDING AND STANDARDS COMMISSION:**

1. The Owners are hereby ordered to:
 - a. Secure buildings 2, 3 and the accessory structure located on the Property from unwanted entry within thirty (30) days from the date of this Order and maintain the buildings secure; and
 - b. That a 6' tall chain link fence be installed around buildings 2, 3 and the accessory structure within thirty (30) days; and
 - c. That the owners or interested parties provide and engineers report for the rehabilitation feasibility of buildings 2 and 3 within thirty (30) days; and

CITY CLERK DEPT.
2012 SEP 20 AM 11:55

- d. Clear the Property of all weeds, trash, and debris within thirty (30) days from the date of this Order and maintain the property clear of all weeds, trash, and debris thereafter;
 - e. All work performed at the Property must be done in compliance with all applicable sections of the El Paso City Code and state and federal regulations and statutes.
2. That the Building and Standards Commission hereby orders the structure's certificate of occupancy revoked.
3. Alternatively, if the Owner fails to comply with this Order, the City of El Paso, through the Code Compliance Division of the Environmental Services Department, may:
 - a. Secure the structures;
 - b. Clear the Property of all weeds, trash and debris;
 - c. Seek reimbursement from the Owners for the cost of complying with this order and that the expense if not satisfied, shall result in a lien being placed against the Property.
4. When this Order has been filed in the real property records of El Paso County it is binding on subsequent grantees, lienholders, or other transferees of an interest in the Property.
5. REHEARING: a person affected by this order may request a rehearing by the same Commission panel that issued this Order. Only ONE hearing may be requested. The Building and Standards Commission may grant a rehearing only under the following circumstances:
 - A. *Proper request is made within twenty (20) days of receipt of notice of the Order of the Commission; and*
 - B. *No appeal of this Order has been taken as allowed pursuant to paragraph 6, below; and*
 - C. *Rehearing fees of five hundred and forty dollars (\$540.00) are furnished with the rehearing request. The rehearing request shall state the basis for requesting the rehearing. The Building and Standards Commission may waive these fees in cases of financial hardship based on written affirmation from the applicant.*

CITY CLERK DEPT.
2012 SEP 20 AM 11:55

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the City Clerk shall cause copies of this Order to be served on the record owner(s) and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own or have an interest in the property described in this notice. If you no longer own or have an interest in the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice.

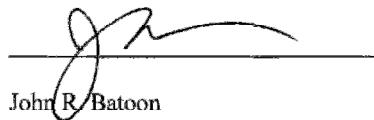
ADOPTED on this 29th day of August, 2012.

BUILDING AND STANDARDS COMMISSION



Andrew Haggerty, Chairman, Panel B

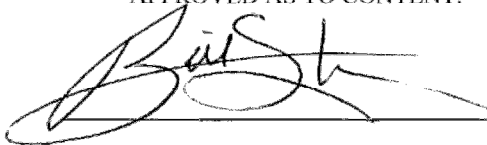
APPROVED AS TO FORM:



John R. Batoon

Assistant City Attorney

APPROVED AS TO CONTENT:



Bill Stern, C.B.O., Deputy Building Official

Code Compliance Division

CITY CLERK DEPT.
2012 SEP 20 AM 11:55



UNSAFE STRUCTURES REPORT

BUILDING SAFETY DIVISION

DATE OF EXAMINATION: May 1, 2014

REP. DISTRICT: 8

ADDRESS: 3330 Montana Avenue

ZONED: S-D

LEGAL DESCRIPTION: Lots 17, 18, 19 and 20, Block 92, EAST EL PASO ADDITION

OWNER: Millan Family LP.

ADDRESS: 5162 Willow Creek Circle
El Paso, TX 79932-2522

BUILDING USE: Abandoned multifamily dwellings and two accessory structures

TYPE OF CONSTRUCTION: Type V, masonry and brick

FOOTINGS: Concrete

CONDITION: Unable to determine condition, footings are underground and must be evaluated by an engineer to determine actual condition.

FOUNDATION WALL: Rubble stone w/masonry grout

CONDITION: Poor. Showing signs of deterioration due to lack of maintenance.

FLOOR STRUCTURE: None existent

CONDITION: Poor. The floor systems have been removed.

EXTERIOR WALLS: Brick covered by stucco and the accessory structure is constructed of rubble stone w/masonry grout.

HEIGHT: Duplexes 15 +/-
Accessory structure 20 +/-

THICKNESS: 9" - 10" +/-
12" +/-

CONDITION: Poor. Several structural deficiencies were found. The foundation is failing. Some stucco veneer has fallen exposing the brick areas causing them to collapse. A structural engineer should be hired to evaluate structural elements of the buildings.

INTERIOR WALLS & CEILINGS: None existent.

CONDITION: Poor. The walls and ceiling have been completely removed exposing the wood framing.

ROOF STRUCTURE: Wood framing covered with asphalt roll roofing composition.

CONDITION: Poor. Natural exterior light seeping through; exposed roof joists are deteriorated and decaying due to lack of maintenance and exposure to the elements. A licensed roofing contractor in the state of Texas should be hired to evaluate the roofing system.

DOORS, WINDOWS, ETC.: Wood frame windows and doors.

CONDITION: Poor. Most glass needs to be replaced. Doors are all missing.

MEANS OF EGRESS: Does not meet egress requirements.

CONDITION: Poor.

PLUMBING: Poor. A licensed plumbing contractor must be hired to evaluate the entire plumbing system and submit a report to this department on the corrective action required to bring the system up to minimum code compliance.

ELECTRICAL: Poor. A licensed electrical contractor must be hired to evaluate the entire electrical system and submit a report to this department on the corrective action required to bring the system up to minimum code compliance.

MECHANICAL: Poor. A licensed mechanical contractor must be hired to evaluate the entire mechanical system and submit a report to this department on the corrective action required to bring the system up to minimum code compliance.

IF CONDEMNED, HOW MANY PERSONS WILL BE AFFECTED: None

WARNING POSTED: Yes **BARRICADED:** No **POLICE AID REQD.:** No

REMARKS: The structures are open and abandoned, completely gutted out and in a state of severe disrepair. The department recommends that the structures 2, 3, 4 and 5 be demolished within thirty (30) days and the property cleaned within thirty (30) days and maintained clean of weeds, trash and debris.

George Singh
Building Inspector

TAX REPORT

Appraisal & Collection Technologies - EL PASO

Action Edit Query Record Field Help Entitlements Accounts Statements Window

ORACLE

Account Status

Prev. Acc... Next Acc... Prev. Owner Next Owner Acct History Acct Summary **Notes** Documents Go To:

EVAR
ACT8006 v1.252 08/12/2014 16:49:
ACTEP

STATUS DETAIL Expand Fees Summary

Account Information

Account No. E014-999-0920-5100 Roll Code REAL PROPERTY

Certified Owner MILLAN FAMILY LP

Parcel Address 3330 MONTANA AVE

Amount Due as of 08/12/2014 CAD No. 283813

Tax Units

Tax Unit Description

List of Tax Units 1 3 6 7 8 8001 9009

AG INCLUDED ☐ Remove Fees ☐ Countywide ☐

Tax Unit, Yr, Rec. Type

Tax Unit

Year

Rec. Type

Multi Select

Amount Due/Paid Information

Year	Gross Value	H	O	V	D	Base Levy	Paid Levy	Write-Off	Remaining Levy	Fees	Refund	Amount Due
2013	\$241,667					\$6,489.38	\$6,489.38	\$0.00	\$0.00	\$768.70	\$15.14	\$0.00
2012	\$255,695					\$6,852.37	\$6,852.37	\$0.00	\$0.00	\$1,019.78	\$0.00	\$0.00
2011	\$149,842					\$3,839.56	\$3,839.56	\$0.00	\$0.00	\$575.94	\$0.00	\$0.00
2010	\$149,842					\$3,808.32	\$3,808.32	\$0.00	\$0.00	\$571.25	\$0.00	\$0.00
2009	\$149,842					\$3,733.06	\$3,733.06	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2008	\$149,842					\$3,744.22	\$3,744.22	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2007	\$149,842					\$3,774.69	\$3,774.69	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2006	\$143,989					\$4,167.35	\$4,167.35	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2005	\$135,266					\$4,223.56	\$4,223.56	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Totals						\$72,580.33	\$72,580.33	\$0.00	\$0.00	\$2,935.67	\$15.14	\$0.00

Last Payment Date

Last Payer

Alert

3:49 PM
8/12/2014